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PERMANENT MISSION OF PORTUGAL TO THE UNITED NATIONS

S T A T E M E N T

OF THE

REPRESENTATIVE OF PORTUGAL

MR. RUI QUARTIN-SANTOS

BEFORE THE

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

ON THE QUESTION OF EAST TIMOR

New York, 12 August, 1988

Mr. Chairman

It is a great pleasure and honour for me - after, I believe, eleven years of absence - to adress again the Special Committee for Decolonization.

This Committee has a long and relevant record of services rendered to the cause of decolonization, of self--determination and independence of colonial peoples and territories, since the General Assembly adopted resolution 1514 (XV) and decided one year after, to establish this body requesting it to make suggestions and recommendations on the progress and extent of the implementation of the aforesaid resolution.

During the crucial years of decolonization, in the sixties and seventies, the colonial peoples had their eyes turned to the United Nations, and very particulary to this Committee. Its action in upholding their legitimate rights and well-being, in seeking to ensure a transition as smooth as possible to new political structures and new ways of life, in analyzing the policies and administrative actions undertaken by the administering powers, in organizing visiting missions allowing it to have a full and first--hand information of the situations prevailing in the colonial territories, all this, Mr. Chairman, was of foremost

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practical importance and was a source of great prestige for this body, entailing also a good deal of responsability and expectation.

Although the decolonization of the largest colonial territories has been completed (with the single exception of Namibia, which, we believe, is on the right track to the long-awaited solution leading to its self-determination and independence), this Committee has still a very important role to play concerning the small territories and populations.

It is precisely with regard to some of these territories, that the tutorial role of the United Nations, in the end of this decade, seems to be more useful and necessary in defending their rights and aspirations.

Some of them, in fact, are under the threat of being submitted by force, of being the object of "fait accompli" policies, which are thereafter proposed to the international community for condoning and acceptance, in clear and blatant disregard for the fundamental principles and resolutions of the United Nations.

The international community cannot overlook this kind of situations. They raise the essential question of knowing whether it will yield to situations created by the use of sheer force and repression or it will stand for the prevalence of the legitimate rights and aspirations of the colonized people, which should, in any circunstance, be given the

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opportunity of making validly the decisive choice on its political future. It is a matter of conscience and coherence with the principles we all admit as being applicable to every non-self-governing territories, without exception.

Usually, Mr. Chairman, these "fait accompli" policies try to legitimate themselves with the passage of time and with the forgetfulness and accommodation that they expect to come with it. They try also, quite often, to convince the outside world of their rightness by disclosing unverifiable data and statistics and by issuing widespread information on the material progress accomplished under their rule. But then it becomes still more difficult to explain why it is not asked to the people concerned, in a free, clear and valid form,whether it accepts or not that very rule to which it has been submitted. If this appears as positive as it seems to be to its own subjects, if the latters's hearts and minds were already won, we are sure that it should not fear to be questioned in a way that would certainly be convincing to the international community, as a whole, and to the United Nations, in particular.

Mr. Chairman,

Among the items included in your agenda, the Special Committee is taking up today the question of East-Timor. This question is inscribed on it on the same ground that of all other items pertaining to non-self-governing territories

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to which Chapter XI of the UN Charter is applicable, that is, all territories on the list elaborated under the General Assembly's supervision and which are still subject to the universally accepted principles and rules of the United Nations in the field of decolonization. It seems a bit oddly to recall all this here before you, distinguished members of the Special Committee, but, since some doubts have been raised on the well-found and the opportunity of your consideration of the East-Timor question, it looked to us convenient, however redundant, to ascert your incontrovertible competence on this matter.

My delegation would like to express its apreciation to the Secretariat for the elaborated working-paper issued on East-Timor. All the well known limitations pertaining to the availability of information notwithstanding, it appears to be as balanced and complete as possible.

We have listened with great attention to the statements just made by the distinguished petitionners that took the floor before this Committee. They are, regretfully, sad and disturbing. One may say they are but unconfirmed reports and allegations. But this argument implies, to be consistent, that the territory should be opened up to the outside world so that their alleged falsity could be easily demonstrated. We do not believe that the benefit of doubt should side up with the infractor.

Recent statements made by highly responsible indonesian authorities seem to share the same point of view. Let's hope they can prevail in the nearest possible future.

As we have stated in many occasions, Portugal has no claims whatsoever to the sovereignity over the territory of East Timor, and we are not engaged in any kind of dispute regarding to it.

Reading past debates held over this issue, we have concluded for the uselessness of arguing about events which belong already to history and will in due time be submitted to its judgment. To ascribe or to reject responsabilities, to exchange accusations and charges of bad-faith or mischievous conducts look futile when compared with the imperious need to restore the East-Timorese in the exercise of their inalienable rights and freedoms, in the respect for the different aspects of their identity as a people, with their own and distinctive History. These rights can not depend on who is to blame for what. It looks to us not only sterile but also fallacious to resort to this kind of argument when this problem is still present before us as an open question that has to be urgently settled.

Since the Special Committee considered this question last, several developpments occurred leading us to the conviction that the attention paid to it by the international community has actually increased. Allow me to refer briefly

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to some of them:

- The Sub-Committee for the Prevention of Discrimination and the Protection of Minorities, of the UN Human Rights Commission, adopted, in Septembre 1987, its resolution 1987/13 (the first to be approved on East Timor, since 1984), recalling new allegations on human rights violations in the territory, due to the persistence of the situation prevailing on it, and requesting the Secretary-General to continue his mediation efforts in order to reach a settlement that will take fully into account the rights and wishes of the East-Timorese.

It is worth to notice that this resolution, included in the report submitted to the Human Rights Commission in February 1988, was endorsed by the Commission.

- The Parliamentary Assembly EEC/ACP, gathering members of Parliament of seventy-eight countries from Africa, Caribe, Pacific and Europe, meeting in Lisbon, adopted in early October 1987, unanimously, a resolution that, "inter alia" upholds the right of East-Timor to self-determination.

- The 78th Conference of the Parliamentary Union held in Bangkok, also in October last, adopted, by the majority of vote, a resolution inviting all parties concerned by the question of East-Timor to reach a settlement that would be in accordance with the principle of self-determination.

- May I also recall the references to East-Timor made by several delegations, from Governments and Non-Governamental Organizations, included in their statements before the Human Rights Commission, in February/March this year. A special mention should be made to the statement delivered by the East-timorese Cristiano Costa, who had recently left the territory. His text was circulated as a "press-release" of the Permanent Mission of Portugal to the Unitet Nations.

His Holyness Pope John Paul II, speaking om December 14th, 1987, on the occasion of the presentation of the credentials of the new Indonesian Ambassador, said the Catholic Church hopes that a special attention be given to the ethnic, religious and cultural identity of the people of East-Timor.

For the first time, in April 1988, the "Twelve" member countries of the European Community adopted a common agreed position on the question of East-Timor. According to it, the "Twelve" support the contacts between Portugal and Indonesia, under the auspices of the UN Secretary-General with a view to achieving a comprehensive and internationally acceptable settlement, ensuring to the people of East-Timor its rights and cultural identity.

Barely one month ago, on March 11, the European Parliament had voted a resolution that, "inter alia", mentions also the situation prevailing in East-Timor in the human rights area, and appeals for the fundamental rights of its people to be respected, namely the right to self-determination.

Mr. Chairman,

The objectives essentialy pursued by the Portuguese Government with regard to East-Timor were clearly stated by our Minister for Foregn Affairs, in his speech delivered before the plenary of the 42nd session of the General Assembly on September 23rd, 1987.

As the administering power, recognized as such by the United Nations, we are committed to the safeguard of the right to self-determination, of the human rights and fundamental freedoms and of the specific identity of the East-Timorese.

According to the letter addressed to the President of the General Assembly, on June 23, 1988, which I ask your permission to quote:

"Our sole aim is to bring about the decolonization process of East-Timor in observance of the universal principles and rules applicable to all non-self-governing territories, however small and remote.

We will undertake all possible diplomatic efforts in order to find a solution that will take into consideration the real aims and interests of the population of East-Timor and which, at the same time, will be acceptable to the United Nations.

With this in view, Portugal fully supports the mandate enthrusted to the Secretary-General by General Assembly resolution 37/30, requesting him to initiate consultations with all parties concerned, aiming at exploring avenues for achieving a comprehensive settlement of the problem. This led to the talks that have been going on at the United Nations, since November 1984, under the auspices of the Secretary-General, between representatives of Indonesia and Portugal.

Portugal reiterates its commitment to seek, in a constructive and flexible spirit of cooperation with the Secretary-General and all parties concerned, an internationally acceptable formula to settle this question, provided that it will take duly into account the paramount interests and wishes of the East-Timorese, thus leading to the long awaited peace and to the much needed development of their land".

May I add also that we hope that if the envisaged portuguese parliamentary visit to East-Timor will appear in the end

as possible, it can contribute to achieve a just and comprehensive settlement to this question, in accordance with the relevant principles and resolutions of the United Nations, namely 1514 (XV) and 1541 (XV).

One last word, last but not the least, Mr. Chairman, to express our most sincere appreciation for the patient and tireless efforts that the Secretary-General, Ambassador Perez de Cuellar, has for years developed in order to fulfill his mandate. We pledge again all our best endeavours to assist him in carrying out successfully his duties.

New winds favourable to peace and to the respect for the rights of peoples seem to be blowing in the world today. We earnestly hope they will be strong enough to reach also East-Timor and thus create the atmosphere that will inspire all parties concerned to find the appropriate ways to bring the long awaited peace and justice to its people.

New York, 12 August, 1988